

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44954 of 2023

Arising Out of PS. Case No.-28 Year-2023 Thana- DARBHANGA District- Darbhanga

VIKASH KUMAR SAH son of Shyam Dev Sah Village- Sangi Ps- Phulparas
dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Prasad
For the Opposite Party/s : Mr.Arvind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in connection with Town P.S. Case no. 28 of 2023 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

As per FIR, prosecution case relates to recovery of total 1835 liters of illicit liquor from flats of co-accused Syama Sadan. It is further alleged that the petitioner is indulged in illicit trade of liquor.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. The petitioner has got no criminal antecedent. He has no concern



with the alleged recovery of illicit liquor. No any incriminating article has been recovered from his conscious possession. Similarly situated other accused person has already been enlarged on bail by this Court vide order dated 21.7.2023 passed in Cr. Misc. No. 45832 of 2023. Petitioner is languishing in judicial custody since 22.01.2023.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioners, this court is inclined to enlarge them on bail. The above named petitioners are directed to be released on bail in connection with Town P.S. Case No. 28 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge-I (Excise Act), Darbhanga/ concerned Court.

(Sunil Kumar Panwar, J)

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